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GOOGLE INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.,

Plaintiff,

v.

GOOGLE INC.,

Defendant.

Case No. 3:10-cv-03561-WHA

**DECLARATION OF DANIEL PURCELL
IN SUPPORT OF GOOGLE INC.'S
SUPPLEMENTAL BRIEF IN SUPPORT
OF MOTION *IN LIMINE* NO. 3 TO
EXCLUDE PORTIONS OF COCKBURN
REPORT ON DAMAGES**

Judge: Hon. William Alsup

Date Comp. Filed: October 27, 2010

1 I, Daniel Purcell, declare as follows:

2 1. I am a partner in the law firm of Keker & Van Nest LLP, counsel to Google Inc.
3 (“Google”) in the present case. I submit this declaration in support of Google Inc.’s
4 Supplemental Brief in Support of Motion *in Limine* No. 3 To Exclude Portions of Cockburn
5 Report on Damages. I have knowledge of the facts set forth herein, and if called to testify as a
6 witness thereto could do so competently under oath.

7 2. Attached hereto as **Exhibit A** are true and correct copies of excerpted pages from
8 the transcript of the deposition of Dr. Iain M. Cockburn, taken October 17, 2011.

9 3. Attached hereto as **Exhibit B** is a true and correct copy of Dr. Cockburn’s Reply
10 to the report of Google damages expert Dr. Gregory Leonard, dated October 10, 2011.

11 4. Attached hereto as **Exhibit C** is a true and correct copy of a Sun Microsystems
12 presentation, dated Febraury 2006 and titled “Project Armstrong: Business Model.” This
13 document was produced by Oracle in this case bearing the production numbers
14 OAGOOOGLE0100166874 through OAGOOOGLE0100166899.

15 5. Attached hereto as **Exhibit D** is a true and correct copy of a March 20, 2006
16 email from Sun employee Kathleen Knopoff titled “finance preso,” which attached the February
17 2006 Project Armstrong presentation attached hereto as Exhibit C. The March 20, 2006 email
18 was produced by Oracle in this case bearing the production number OAGOOOGLE0100166873.

19 6. Attached hereto as **Exhibit E** is a true and correct copy of Dr. Cockburn’s Reply
20 to the report of Google damages expert Dr. Alan Cox, dated October 10, 2011.

21 I declare under penalty of perjury that the foregoing is true and correct and that this
22 declaration was executed at San Francisco, California on October 20, 2011.

23
24 By: /s Daniel Purcell
25 DANIEL PURCELL
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